

structive notice to be given by the filing and indexing of such claim as provided for in this Act or by suit filed.

Section 3. DURATION OF LIEN. Any lien hereby created shall cease to be operative for a longer period than six months after the same shall have been filed and indexed as hereinbefore provided unless suit be brought before the proper court within that time to enforce the same, or if a credit be given, then six months after the expiration of such credit; but no lien shall be continued in force for a longer time than one year from the time of cessation of the work or labor by any agreement to give credit.

Maximum period  
of lien.

Section 4. EMERGENCY. An emergency is hereby declared to exist, and this Act shall be in full force and effect immediately upon its passage and approval.

Emergency  
clause.

Approved March 22, 1949.

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## CHAPTER 80

### AN ACT

[S. B. 44]

Providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto, and fixing effective date.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. NO SUFFICIENT EVIDENCE OF SURVIVORSHIP. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that persons have died otherwise than simultaneously, the property of each per-

Presumption of  
simultaneous  
death.

son shall be disposed of as if he or she had survived, except as provided otherwise in this Act.

Section 2. BENEFICIARIES OF ANOTHER PERSON'S DISPOSITION OF PROPERTY. Where two or more beneficiaries are designated to take successively by reason of survivorship under another person's disposition of property and there is no sufficient evidence that these beneficiaries have died otherwise than simultaneously the property thus disposed of shall be divided into as many equal portions as there are successive beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each designated beneficiary had survived.

Disposition for successive beneficiaries.

Section 3. JOINT TENANTS OR TENANTS BY THE ENTIRETY. Where there is no sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultaneously the property so held shall be distributed one-half as if one had survived and one-half as if the other had survived. If there are more than two joint tenants and all of them have so died the property thus distributed shall be in the proportion that one bears to the whole number of joint tenants.

Tenancy survivorship.

Section 4. INSURANCE POLICIES. Where the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise than simultaneously the proceeds of the policy shall be distributed as if the insured had survived the beneficiary.

Insurance distribution.

Section 5. This Act shall apply to the distribution of the property of a deceased person who has died prior to the effective date thereof, unless the order of distribution has been signed by the Probate Judge having jurisdiction of the probate of said estate.

Section 6. ACT DOES NOT APPLY IF DECEDENT PROVIDED OTHERWISE. This Act shall not apply in the case of wills, living trusts, deeds, or contracts of insurance wherein provision has been made for distribution of property different from the provisions of this Act.

Section 7. UNIFORMITY OF INTERPRETATION. This Act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it.

Section 8. SHORT TITLE. This Act may be cited as the Uniform Simultaneous Death Act.

Section 9. REPEAL. All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

Repeal.

Section 10. SEVERABILITY. If any of the provisions of this Act or the application thereof to any persons or circumstances is held invalid such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Savings clause.

Section 11. TIME OF TAKING EFFECT. This Act shall take effect April 1st, 1949.

Approved March 22, 1949.